

HONORABLE ROBERT B. LEIGHTON



06-CV-05254-ORD

FILED	LODGED
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JUN 12 2006	
CLERK U.S. DISTRICT COURT	
WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON, TACOMA

JAMES PORTMANN and DEBBIE  
PORTMANN, husband and wife,

Plaintiffs,

vs.

GUIDANT CORPORATION, an Indiana For-  
Profit Domestic Corporation; GUIDANT  
SALES CORPORATION, an Indiana For-  
Profit Domestic Corporation; FRANCISCAN  
HEALTH SYSTEM, a Washington Public  
Benefit Corporation, dba ST. JOSEPH  
MEDICAL CENTER; CARDIAC  
PACEMAKERS, INC., a Minnesota Foreign  
Business corporation; DOES 1 through 20,  
inclusive,

Defendants.

NO. C06-5254RBL.

**STIPULATION AND ORDER  
ALLOWING AMENDMENT OF  
SUMMONS AND COMPLAINT**

**STIPULATION**

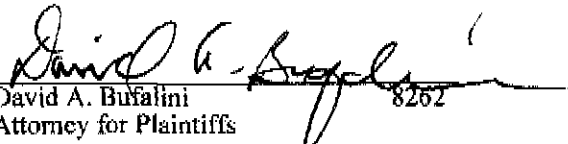
The undersigned attorneys of record for plaintiffs JAMES PORTMANN and DEBBIE PORTMANN, and defendants GUIDANT CORPORATION, GUIDANT SALES CORPORATION and FRANCISCAN HEALTH SYSTEM, stipulate to the entry of an order allowing plaintiffs to amend the Summons and Complaint in this matter by naming as an additional party defendant CARDIAC PACEMAKERS, INC., a Minnesota Foreign business corporation. No other changes or amendments to the original Summons or Complaint are sought by this stipulation and order. This Stipulation and Order is presented pursuant to FRCP 15(a).

**STIPULATION AND ORDER ALLOWING AMENDMENT OF  
SUMMONS AND COMPLAINT**

DAVID A. BUFALINI  
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1 DATED this 8 day of <sup>June</sup>~~May~~, 2006.

2  
3 LAW OFFICES OF DAVID A. BUFALINI, P.S.

4   
5 David A. Bufalini 8262  
6 Attorney for Plaintiffs

7 FAIN SHELTON ANDERSON & VANDERHOEF

8  
9 see attached  
Philip J. VanDerhoef 14564  
10 Attorney for Defendant Franciscan Health System

11 WILLIAMS KASTNER & GIBBS

12  
13   
14 Kimberly D. Baker 14257  
15 Attorney for Defendants Guidant Corporation and Guidant  
16 Sales Corporation

17 ORDER

18 THIS MATTER having come before the court on the stipulation of the plaintiffs and  
19 defendants to allow plaintiffs to amend their Summons and Complaint to add the above-referenced  
20 additional defendant, and the court having been advised in the premises, it is now, therefore,

21 ORDERED that the plaintiffs shall be allowed to amend their Summons and Complaint to  
22 add the additional defendant referenced above.

23 DONE IN OPEN COURT this 8 day of <sup>June</sup>~~May~~, 2006.

24  
25 The Honorable Robert B. Leighton

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27  
28 STIPULATION AND ORDER ALLOWING AMENDMENT OF  
SUMMONS AND COMPLAINT - 2 -

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## ORDER

ORDERED that the plaintiffs shall be allowed to amend their Summons and Complaint to add the additional defendant referenced above.

  
The Honorable Robert B. Leighton

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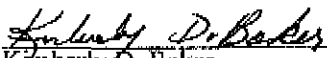
1 *Presented by:*

2 LAW OFFICES OF DAVID A. BUFALINI, P.S.

3   
4 David A. Bufalini 8262  
5 Attorney for Plaintiffs

6 *Approved as to form and content,*  
7 *notice of presentation waived:*

8 *see attached*  
9 Philip J. VanDerhoef 14564  
10 Attorney for Defendant Franciscan Health System

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12 Kimberly D. Baker 14257  
13 Attorney for Defendants Guidant Corporation and Guidant Sales Corporation  
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STIPULATION AND ORDER ALLOWING AMENDMENT OF  
SUMMONS AND COMPLAINT

- 3 -

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4 *see attached*  
David A. Bufalini 8262  
Attorney for Plaintiffs

5

6 *Approved as to form and content,*  
7 *notice of presentation waived;*

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9 *Philip J. VanDerhoef*  
Philip J. VanDerhoef 14564  
Attorney for Defendant Franciscan Health System

10

11 *see attached*  
Kimberly D. Baker 14257  
Attorney for Defendants Guidant Corporation and Guidant Sales Corporation

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STIPULATION AND ORDER ALLOWING AMENDMENT OF  
SUMMONS AND COMPLAINT

- 3 -

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